

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Civ. No. 1:23-cv-797

\$64,333.93 IN UNITED STATES CURRENCY,

2018 POLARIS SLINGSHOT MOTORCYCLE

VIN# 57XAARFA5J8126175,

2018 CAN-AM ATV VIN# 3JBVMAY46JK000380,

INTERSTATE KINGMAN TRAILER

VIN# 4RALS1221MK075602,

1984 DUMP TRAILER VIN# NM93203,

1812 DEL NORTE DR SW

ALBUQUERQUE, NM 87105,

GLOCK 19 9MM PISTOL SN: AFDL439,

GLOCK 29 10MM PISTOL SN: BWKL235,

FN FIVE-SEVEN 5.7X28 CALIBER PISTOL

SN: 386426580,

SIG SAUER P229 .357 CALIBER PISTOL

SN: AM107493,

STEYR-DAIMLER PUCH AUG/SA .223 CALIBER RIFLE

SN: 900SA628,

THREE MAGAZINES .223 CALIBER,

APPROXIMATELY 308 ROUNDS OF .223 CALIBER
CARTRIDGES,
TWO MAGAZINES 5.7X28,
APPROXIMATELY 46 ROUNDS OF 5.7X28 CARTRIDGES,
APPROXIMATELY 106 ROUNDS OF 9MM CARTRIDGES,
TWO MAGAZINES FOR A 9MM PISTOL,
TWO 9MM CASINGS,
THREE MAGAZINES FOR A 10MM PISTOL,
APPROXIMATELY TEN ROUNDS OF 10MM
CARTRIDGES,
TWO BALLISTIC VESTS,
MISCELLANEOUS JEWELRY,
GOLD COLORED MONEY COUNTER,
SEVEN CELL PHONES,

Defendants-in-Rem.

VERIFIED COMPLAINT FOR FORFEITURE *IN REM*

Plaintiff, United States of America, brings this complaint in accordance with Supplemental Rule G(2) of the Supplemental Rules for Certain Admiralty or Maritime Claims and Asset Forfeiture Actions, and alleges as follows:

NATURE OF THE ACTION

1. This is a civil action to forfeit and condemn to the use and benefit of the United States of America property involved in violations of the Controlled Substances Act that is subject to forfeiture pursuant to 21 U.S.C. § 881(a)(6).

DEFENDANT *IN REM*

2. The Defendants *in Rem* consists of the following:
 - A. \$64,333.93 IN UNITED STATES CURRENCY,
 - B. 2018 POLARIS SLINGSHOT MOTORCYCLE
VIN# 57XAARFA5J8126175,
 - C. 2018 CANAM ATV VIN# 3JBVMAY46JK000380,
 - D. INTERSTATE KINGMAN TRAILER
VIN# 4RALS1221MK075602,
 - E. 1984 DUMP TRAILER VIN# NM93203,
 - F. 1812 DEL NORTE DR SW, ALBUQUERQUE, NM 87105
DESCRIBED AS: BERNALILLO COUNTY PARCEL IDENTIFICATION NUMBER:
101205317745921208, WILSON SUBDIVISION, LOT 4, BLOCK F
 - G. GLOCK 19 9MM PISTOL SN: AFDL439,
 - H. GLOCK 29 10MM PISTOL SN: BWKL235,
 - I. FN FIVE-SEVEN 5.7X28 CALIBER PISTOL
SN: 386426580,
 - J. SIG SAUER P229 .357 CALIBER PISTOL
SN: AM107493,
 - K. STEYR-DAIMLER PUCH AUG/SA .223 CALIBER RIFLE SN: 900SA628,
 - L. THREE MAGAZINES .223 CALIBER,
 - M. APPROXIMATELY 308 ROUNDS OF .223 CALIBER CARTRIDGES,
 - N. TWO MAGAZINES 5.7X28,
 - O. APPROXIMATELY 46 ROUNDS OF 5.7X28 CARTRIDGES,
 - P. APPROXIMATELY 106 ROUNDS OF 9MM CARTRIDGES,

- Q. TWO MAGAZINES FOR A 9MM PISTOL,
- R. TWO 9MM CASINGS,
- S. THREE MAGAZINES FOR A 10MM PISTOL,
- T. APPROXIMATELY TEN ROUNDS OF 10MM CARTRIDGES,
- U. TWO BALLISTIC VESTS,
- V. MISCELLANEOUS JEWELRY,
- W. GOLD COLORED MONEY COUNTER, AND
- X. SEVEN CELL PHONES

(hereafter collectively referred to as “Defendant Property”).

3. The Defendant Property was seized by the Federal Bureau of Investigation (FBI) on March 23, 2023, in the District of New Mexico.

4. The Defendant Property is now, and during the pendency of this action will be, in the jurisdiction of this Court.

JURISDICTION AND VENUE

5. The United States District Court for the District of New Mexico has subject matter jurisdiction under 28 U.S.C. §§ 1345, 1355(a) and 1356.

6. Venue for this civil forfeiture action is proper in this district pursuant to 28 U.S.C. §§ 1355 and 1395, as acts or omissions giving rise to the forfeiture took place in this district and the property is found in this district. Upon the filing of this complaint, the Defendant Property will be arrested by execution of a Warrant for Arrest *In Rem* in the District of New Mexico.

FACTS

7. On March 23, 2023, FBI Special Weapons and Tactics (SWAT) executed a search warrant at Jerry Bezie's residence, 1812 Del Norte Drive SW, Albuquerque, New Mexico 87105. SWAT agents arrived at the residence, knocked, and announced their presence and purpose. Agents encountered Bezie's girlfriend, an adult male, and several juveniles in the living room. Agents encountered Bezie coming from the hallway, leading to the master bedroom.

8. In the master bedroom, agents located a loaded pistol with a bag of Xanax pills on top of it, and a gold-colored money counter on the nightstand. Agents also located blue fentanyl pills marked M-30in and around the toilet connected to the master bedroom. A backpack full of clear crystal methamphetamine was found in the master bedroom near a semi-automatic assault rifle. A pistol was also located in the master bedroom adjacent to a bag of cash.

9. A large diaper box containing approximately 114,709 blue fentanyl pills, marked M-30was located in a Hummer H2, registered to Bezie, in the driveway of the residence.

10. All items of the Defendant Property were discovered in the residence at 1812 Del Norte Dr SW, and in vehicles and outbuildings within the boundaries of the property.

11. Bezie was taken into custody and advised his Miranda rights. Bezie identified approximately 15 pounds of methamphetamine and several firearms in the master bedroom as belonging to him, together with 100,000 fentanyl pills in the Hummer. Bezie admitted to attempting to flush the fentanyl pills down the toilet connected to the master bedroom. Bezie advised agents that he was not allowed to possess firearms.

FIRST CLAIM FOR RELIEF

12. The United States incorporates by reference the allegations in paragraphs 1 through 11 as though fully set forth.

13. Title 21, United States Code, Section 881(a)(6) subjects to forfeiture “[a]ll moneys, negotiable instruments, securities, or other things of value furnished or intended to be furnished by any person in exchange for a controlled substance or listed chemical in violation of this subchapter, all proceeds traceable to such an exchange, and all moneys, negotiable instruments, and securities used or intended to be used to facilitate any violation of this subchapter.”

14. Defendant Property was furnished, or intended to be furnished, in exchange for a controlled substance, or constitutes proceeds traceable to such an exchange, or was used or intended to be used to facilitate a violation of the Controlled Substances Act and is thus subject to forfeiture to the United States pursuant to 21 U.S.C. § 881(a)(6).

WHEREFORE: Plaintiff seeks arrest of Defendant Property and forfeiture of same to Plaintiff, determination of the validity and priority of claims of the Claimants and any Unknown Claimants to the Defendant Property, costs, and expenses of seizure and of this proceeding, and other proper relief.

Respectfully submitted,

ALEXANDER M.M. UBALLEZ
United States Attorney


STEPHEN R. KOTZ
Assistant U.S. Attorney
P.O. Box 607
Albuquerque, NM 87103
(505) 346-7274